Meeting Minutes

STATE BOARD OF BUILDING REGULATIONS AND STANDARDS

S:\BBR\BBRS\AGENDA\2008 Agenda\05_May\BBRS Minutes May 20, 2008

A meeting of the Board of Building Regulations and Standards was held at 1:00 p.m., Tuesday, May 20, 2008 @ One Ashburton Place, Boston, MA 02108

PRESENT

Gary Moccia (GM), Chairman-Registered Professional Engineer (Structural)

Alexander (Sandy) MacLeod (SM), Vice-Chairman-Registered Architect

Rob Anderson (RA) -Chief of Inspections- Buildings

Brian Gale (BG) -Building Official from a Town

Keith Hoyle (KH) -Head of a Local Fire Department

Timothee Rodrique (TR) -Designee for the State Fire Marshal

ABSENT

Stanley Shuman (SS) -General Contractor of Commercial/Industrial Buildings

Harry Smith (HS) -One- and Two-Family Homebuilders

Vacant Position -Registered Professional Engineer (Mechanical)

Vacant Position -Building Official from a City

Vacant Position - Representative of Building Trades

Tom Riley (TMR), Don Finocchio (DF), and Mike Guigli (MSG) of the Board staff were present as well as others as indicated on the attendance sheet, which is on file at DPS. The official minutes are located on digital electronic file at J:\DPM_Files\BBRS - Public Hearing\BBRS_Minutes_05_20_08.DSS

MOTIONS, SECONDS, VOTES, and ACTIONS

	Motion by	Second by	Board Approval Vote	Action Item	Owner	Time Stamp*
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The Public Hearing portion of the meeting was called to order by GM. at 1:14 p.m. This Public Hearing was held in Boston at One Ashburton Place, Conference Room 3 on the 21st floor. The attendance list is on file at DPS and it is noted that not all present chose to sign in so there were more than 18 people at the public hearing. After GM read opening remarks MSG briefly described each 780 CMR code change proposal. Public testimony was focused on the energy efficiency code change proposals to Chapters 13, 61, and proposed new appendix, 120AA 'Above Code Programs'. Testimony was given by, but limited to, representatives from NSTAR, National GRID, the National Consumer Law Center, Inc., NEEP. Testimony in general was supportive of these proposals but testimony also pointed to the fact that appendix 120AA is unusual in the sense that it provides 'above code' compliance, which is contrary to the 'minimum' standard that the building code is meant to serve. TMR noted that 120AA is written to be a voluntary method of a building owner or designer to achieve energy efficiency beyond minimum code standards and that if a municipality seeks to mandate it for all buildings then it first needs to acquire approval for its mandate from the BBRS (per M.G.L. c.143 §§ 97 and 98). BG noted that he would not endorse 120AA unless it was made clear that a public hearing and appearance before BBRS is done before any municipal mandate is attempted or made. It was noted by MSG that 120AA provides standards and guides that have been vetted and supported by state, and/or national entities and supported in some cases by Massachusetts utility demand side management programs.

Subject	Motion by	Second by	Board Approval	Action Item	Owner	Time Stamp*	
After discussion on this subject ended DF provided an overview of the code change proposals that he moved forward which include improved processes related to concrete testing and licensing and qualifica of native lumber suppliers. A full list of the code change proposals is provided in the table found in the page of these minutes. GM asked for any final testimony or discussion and upon hearing no additional requests he closed the Public Hearing at approximately 1:55 p.m.							
Old Bus							
1.Meeting Minutes: GM called the meeting to order and minutes of the April 15, 2008 BBRS meeting were approved.	RA	КН	yes	Upload minutes to DPS Website	MSG	59	
2. 1&2 Family Sprinkler Committee: TMR noted that the and that the pros and cons of divided and combination so noted that an important step has been made in that plum	systems	are be	eing co	onsidered and revie	wed. TR	1:01	
and that the pros and cons of divided and combination systems are being considered and reviewed. TR noted that an important step has been made in that plumbing and sprinkler installer representatives are participating and providing their needs and viewpoints. 3. Action Items from Previous BBRS Meetings: •GM brought up an issue concerning the Building Official Certification Committee and Benjamin DeChristoforo (BD), Local Inspector, City of Revere. Some background and BBRS discussion ensued concerning his certification status (not certified but on the job since 2001) and his desire to have an extension of time to complete certification testing. BD submitted a letter to GM dated May 7 with an appeal to allow an extension of 120 days to allow him to take the required exams. BBRS granted his wish of an extension to May 6 + 120 days or September 3, 2008 as the final day for when all requirements are to be met. On this date if the certification requirements have not been met a letter from DPS legal will be issued to the City of Revere to terminate BD's employment as a Building Official. BBRS vote (motion SM, second BG) was unanimous. •GM gave a summary of his desire for the Building Official Certification Committee to produce a list of qualifications of candidates for municipal building official positions. RA gave a summary of the 'New Employee Report Form' that the Committee has produced. GM suggested that this form serve as a qualifying document for a Building Official candidate (after completion of a successful municipal interview/hiring process) to submit to the Committee that he/she is qualified to take the certification exams. These meeting notes will be reviewed at the June BBRS meeting and edited if required, and then approved. At that time the Committee will be asked to do the same. If no changes are made then no further BBRS action is required and the 'New Employee Report Form' will be made available to all municipalities via the DPS website.						1:06	

Subject	Motion by	Second by	Board Approval Vote	Action Item	Owner	Time Stamp*
New Bus	siness	3				
1. Approve new construction supervisor licenses: A	BG	KH	Yes			1:23
total of 391 have been issued between March 7, 2008 and April 3, 2008. TR asked how many of these were new specialty licenses. RA estimated that about 120 were of this type. RA also noted that the licenses have a new look; similar to a DMV driver license, and that there probably will be many more specialty license applications coming. RA also gave an update on	Ы	NII	163			
'getting the word out' to HIC holders and the content of the new exams and references needed to take the exams.						
2. Issue Building Official Use Only CSL:						1:35
• Joel S. Reed CSL #000905 Town of Dartmouth (approved)	BG	KH	Yes	Forward to C. Merchant	MSG	
• Keith E. Fox CSL #065044 City of Palm Springs, CA (denied because of out-of-state employment and concern about continuing education requirements)	TR	KH	Yes			
 3. Request for CSL change to active status for Municipal Building Inspector: Paul R. Blanchard CSL #050716 Town of Winchendon Steven T. Desilets CSL #042991 City of Springfield 	BG	TR	Yes	Forward to C. Merchant	MSG	1:42
4. Local Permit Application Forms: Local Permit Applications for BBRS approval requested for Hull	TR	KH	Yes			1:43
and Newbury						1.45
5. Status of 7th edition:						1:45
 TMR gave an estimate of July 1 for a publication date. BBRS discussion on 120AA was focused on the BBRS approval of code changes proposal. KH made a motion to direct the Staff to move forward with tentative BBRS approval of the code changes to facilitate publication of the Basic code by July 1. BG seconded the motion which was voted and approved by the BBRS. 						vot e @ 2:05
6. RA gave a summary of the new legislation for continuing education for CSLs. A Continuing Education Advisory Council will be formed. Candidates for the positions on the council will be asked to submit a cover letter and resume for consideration.						
7. The BBRS discussed the State Inspector report on the building department of the Town of Westfield. A motion was made to request that DPS Legal draft a letter of notification to the City of Westfield to implement the report recommendations with a detailed action plan reported to BBRS within 60 days and review the letter at the June meeting.	BG	КН	Yes	DPS Legal to draft letter.	TG	2:13

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5. TMR discussed a code change proposal dated March 21 2008 submitted by a registered PE, Kenneth Elovitz. After BBRS discussion a motion was made that the code change is submitted to the Board of Engineers and Land Surveyors for their comments and recommendations prior to any further BBRS discussion or consideration.	GM	TR	Yes	Move proposal to Board of Eng. And Land Surveyors	TMR	2:17
Meeting Adjourned	KH	BG	Yes			2:25

Notes:

- $\bullet\mbox{Time}$ stamp indicates location on the digital recording when the discussion began.
- •Minutes taken by Mike Guigli.